

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NOEL VELASQUEZ and CARLOS
RIVERA, individually and on behalf of all
others similarly situated,

Plaintiffs,

-against-

ORDER

CV 11-3892

(Wexler, J.)

DIGITAL PAGE, INC. d/b/a/, FUSION
WIRELESS; CELLULAR CONSULTANTS,
INC., d/b/a/, FUSION WIRELESS;
CELLULAR CONSULTANTS OF NASSAU,
INC., d/b/a/, FUSION WIRELESS; CELLULAR
CONSULTANTS OF NASSAU ST/1, d/b/a/,
FUSION WIRELESS; CELLULAR
CONSULTANTS OF FARMINGDALE,
d/b/a/, FUSION WIRELESS; BRANDON
HAENEL and ROBERT PACHTMAN,

Defendants.

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APPEARANCES:

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WEXLER, District Judge:

This is a case brought pursuant to the Fair Labor Standards Act, 29 U.S.C. § 207 (the
“FLSA”) and parallel provisions of New York State law, seeking overtime compensation against

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★ **AUG 10 2015** ★
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the Defendant employers. Plaintiffs include two named plaintiffs and eight (8) opt-in plaintiffs.¹ Before the Court is a Joint Motion for Final Approval of Collective Action Settlement Agreement. The Court has reviewed the parties' submissions, including the Settlement Agreement and General Release ("Settlement") executed by the named Plaintiffs and Defendants, and hereby approves the settlement. See Cheeks v. Freeport Pancake House, et. al, 2015 WL 4664283 (2d Cir. August 7, 2015) (requiring court approval of private stipulated dismissals with prejudice of FLSA claims). This action is dismissed with prejudice. Plaintiffs' counsel's motion for attorneys' fees and costs will be addressed in a separate order.

SO ORDERED

s/ Leonard D. Wexler

LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Central Islip, New York
August 10, 2015

¹One opt-in plaintiff has declined to participate in the settlement, did not meet a deadline to affirm his participation, and has failed to respond to plaintiff's counsel's attempts to reach him. Thus, the settlement funds do not include a payment to him. See Joint Motion, at 2.